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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-596*

13 **KATHIE E. STANFORD, a.k.a. KATHIE**
14 **E. McMASTER**
15 **2047 San Miguel Canyon Road**
16 **Salinas, California 93907**

A C C U S A T I O N

17 **Registered Nurse License No. 488852**

18 Respondent.

19 Complainant alleges:

PARTIES

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about March 31, 1993, the Board of Registered Nursing issued Registered
24 Nurse License Number 488852 to Kathie E. Stanford, also known as Kathie E. McMaster,
25 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to
26 the charges brought in this Accusation and will expire on March 31, 2013, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Registered Nursing (Board),
3 Department of Consumer Affairs, under the authority of the following laws. All section
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 4. Code section 2750 provides, in part, that the Board may discipline any licensee,
6 including a licensee holding a temporary or an inactive license, for any reason provided in Article
7 3 (commencing with section 2750) of the Nursing Practice Act.

8 5. Code section 2764 provides, in part, that the expiration of a license shall not deprive
9 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to
10 render a decision imposing discipline on the license. Under Code section 2811, subdivision (b),
11 the Board may renew an expired license at any time within eight years after the expiration.

12 **STATUTORY PROVISIONS**

13 6. Code section 820 provides that:

14 Whenever it appears that any person holding a license, certificate or permit
15 under this division or under any initiative act referred to in this division may be
16 unable to practice his or her profession safely because the licentiate's ability to
17 practice is impaired due to mental illness, or physical illness affecting competency,
18 the licensing agency may order the licentiate to be examined by one or more
19 physicians and surgeons or psychologists designated by the agency. The report of the
20 examiners shall be made available to the licentiate and may be received as direct
21 evidence in proceedings conducted pursuant to Section 822.

22 7. Code section 822 provides that:

23 If a licensing agency determines that its licentiate's ability to practice his or her
24 profession safely is impaired because the licentiate is mentally ill, or physically ill
25 affecting competency, the licensing agency may take action by any one of the
26 following methods:

27 (a) Revoking the licentiate's certificate or license.

28 (b) Suspending the licentiate's right to practice.

(c) Placing the licentiate on probation.

(d) Taking such other action in relation to the licentiate as the licensing agency
in its discretion deems proper.

1 The licensing agency shall not reinstate a revoked or suspended certificate or
2 license until it has received competent evidence of the absence or control of the
3 condition which caused its action and until it is satisfied that with due regard for the
public health and safety the person's right to practice his or her profession may be
safely reinstated.

4 **COST RECOVERY**

5 8. Code section 125.3 provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licensee found to have committed a violation or violations of
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case.

9 **CAUSE FOR DISCIPLINE**

10 **(Mental Illness Affecting Competency)**

11 9. Respondent's license is subject to disciplinary action under section 822 in that her
12 ability to practice safely as a registered nurse is impaired due to mental illness affecting her
13 competency, as more specifically set forth below:

14 10. On or about May 31, 2012, in an administrative case entitled *In the Matter of the*
15 *Petition to Compel an Order for Psychological Evaluation of Kathie E. Stanford* (Case No. 2012-
16 720), the Board ordered that Respondent be examined by a Board designated physician
17 specializing in psychiatry or by a psychologist to determine whether Respondent is mentally ill to
18 the extent that her ability to safely practice as a Registered Nurse is impaired. The Board issued
19 the Order after Respondent attempted to catheterize a male patient with a metal guide wire. She
20 told the physicians who were present at the time that she had prior experience performing this
21 procedure. However, she had not received training for, and had never performed the procedure.
22 Respondent admitted to a Board investigator that she has been diagnosed with anxiety,
23 depression, and Post Traumatic Stress Syndrome. Respondent admitted that these mental health
24 issues caused her to make decisions in her nursing practice that were not always appropriate.
25 Respondent also admitted that her mental health issues cause her to accept too much work, which
26 makes her unable to complete the work or to complete it inappropriately.

27 11. On or about August 29, 2012, in compliance with the Board's Order, James Reich,
28 M.D., M.P.H., interviewed and evaluated Respondent. Dr. Reich determined that Respondent

suffers from significant emotional problems including anxiety, depression, and post traumatic stress disorder. Respondent is on disability due to her emotional conditions.

12. Dr. Reich concluded that Respondent is not safe to practice as a registered nurse at this time.

PRAYER

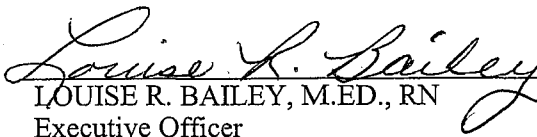
WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 488852, issued to Kathie E. Stanford, a.k.a. Kathie E. McMaster;

2. Ordering Kathie E. Stanford, a.k.a. Kathie E. McMaster, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

3. Taking such other and further action as deemed necessary and proper.

DATED: JANUARY 31, 2013


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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